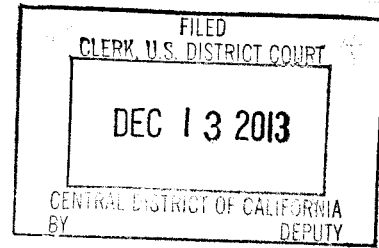


Gary P. Simonian (State Bar No. 177747)  
Gary.Simonian@leclairryan.com  
LECLAIRRYAN, LLP  
725 South Figueroa Street, Suite 350  
Los Angeles, CA 90017  
Telephone: (213) 488-0503  
Telefax: (213) 624-3755

Attorney for Defendant  
STERLING INFOSYSTEMS, INC.



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

ROGER CULBERSON II, an  
individual,

Plaintiff,

v.

STERLING INFOSYSTEMS, INC., a  
foreign corporation doing business in  
California; and DOES 1 through 10,  
inclusive,

Defendants.

Case No.:

**CV 13-09186** -DMG  
(PSL2)

**NOTICE OF REMOVAL OF ACTION  
UNDER 28 U.S.C. § 1441(a) (Federal  
Question)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE THAT Defendant STERLING INFOSYSTEMS, INC. (hereinafter, "STERLING INFOSYSTEMS"), hereby removes the state court action described below to this District Court:

1. On November 1, 2013, an action was commenced in the Superior Court of the State of California in and for the County of Los Angeles entitled, *Roger L. Culberson II v. Sterling Infosystems, Inc., and DOES 1 through 10, inclusive*, as Case Number BC526553, a true and accurate copy of which is attached hereto as Exhibit A.

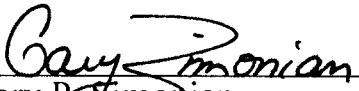
1           2.     The first date upon which Defendant STERLING INFOSYSTEMS  
2 received a copy of the said complaint was November 13, 2013, when it was served  
3 with a copy of the said complaint and a summons from the said state court. A true  
4 and accurate copy of the summons is attached hereto as Exhibit B.

5           3.     This action is a civil action of which this District Court has original  
6 jurisdiction under 28 U.S.C. § 1331 and is one which may be removed to this Court  
7 by the defendant pursuant to the provisions of 28 U.S.C. §1441(a) in that it arises  
8 under federal statute 15 U.S.C. § 1681 (Fair Credit Reporting Act).

9           4.     Pursuant to 28 U.S.C. § 1446(d), the undersigned counsel hereby  
10 certifies that a true and correct copy of this Notice of Removal will be promptly  
11 filed with the Clerk of the Superior Court of the State of California, County of Los  
12 Angeles, and served upon all adverse parties.

13  
14 DATED: December 13, 2013

LECLAIRRYAN, LLP

15  
16 By:   
17 Gary P. Simonian  
18 Attorney for Defendant  
19 STERLING INFOSYSTEMS, INC.  
20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

1 THE LAW OFFICES OF DEVIN H. FOK  
 2 Devin H. Fok, Esq. (SBN #256599)  
 3 P.O. Box 7165  
 4 Alhambra, CA 91802-7165  
 5 Ph: (310) 430-9933  
 6 Fax: (323) 563-3445  
 7 devin@devinfoklaw.com

8 A NEW WAY OF LIFE REENTRY PROJECT  
 9 Joshua E. Kim, Esq. (SBN #257260)  
 10 P.O. Box 875288  
 11 Los Angeles, California 90087  
 12 Ph: (323) 563-3575  
 13 Fax: (323) 563-3445  
 14 joshua@anewwayoflife.org

15 Attorneys for Plaintiff

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 17 **COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

18 ROGER L. CULBERSON II, individually,

19 Plaintiff(s),

20 vs.

21 STERLING INFOSYSTEMS, INC., a foreign  
 22 corporation doing business in California, and  
 23 DOES 1-10 inclusive,

24 Defendants.

CASE No.

BC 526553

**COMPLAINT FOR VIOLATION OF:**

1. 15 USC §1681e(b)
2. 15 USC §1681k(a)(2)
3. Civ. Code §§1786.18(a)(7); 1786.20(a)
4. Civ. Code § 1786.20(b)
5. Civ. Code § 1786.28(b)

**JURY TRIAL DEMANDED**

CIT/CASE: BC526553  
 LER/DEF#:   
 RECEIPT #: CCH465980082  
 DATE PAID: 11/01/13 02:54 PM  
 PAYMENT: \$435.00  
 RECEIVED:   
 CHECK: \$435.00  
 CASH: \$0.00  
 CHANGE: \$0.00  
 CARD: \$0.00

**COMPLAINT FOR DAMAGES**

11/01/2013

41 Ronald Johnson

WY  
9/5/13

**FILED**  
 Los Angeles Superior Court

NOV 01 2013

John A. Clarke, Executive Officer/Clerk  
 By SHAUNYA WESLEY, Deputy

1 Plaintiff ROGER L. CULBERSON II (hereafter as "Plaintiff") complains against  
 2 Defendants STERLING INFOSYSTEMS, INC. d.b.a. STERLING TESTING SYSTEMS, and  
 3 DOES 1-10 inclusive (hereafter as "STERLING" or "Defendant"), and alleges as follows:

#### 4 5 NATURE OF THE ACTION 6

7 1. It is estimated that one in four adults in the United States have a criminal record of  
 8 some kind and that more than ninety percent of all employers in the United States perform  
 9 criminal background checks on job candidates.<sup>1</sup>

10 2. Existing law requires employers to consider certain relevant factors, including the  
 11 age, nature, and severity of a job applicant's criminal record and the duties to be performed,  
 12 before making an adverse employment decision based on a person's criminal record.<sup>2</sup>

13 3. It is therefore imperative that criminal background check companies provide  
 14 accurate, complete, and up-to-date information about a job applicant's criminal record.

15 4. To further this compelling interest, both Congress (through the Fair Credit  
 16 Reporting Act ("FCRA") under 15 U.S.C. §1681 *et seq.*) and the California legislature (through  
 17 the Investigative Consumer Reporting Agencies Act ("ICRAA") under Cal. Civ. C. §1786 *et seq.*)  
 18 have enacted comprehensive legislation regulation regulating the procurement and issuance of  
 19 background check reports, stating that "[i]nvestigative consumer reporting agencies have assumed  
 20 a vital role" and that "there is need to insure that investigative consumer reporting agencies  
 21 exercise their grave responsibilities with fairness, impartiality, and a respect for the consumer's  
 22 right to privacy." Cal. Civ. C. §1786; *see also* 15 U.S.C. §1681(a).

---

23  
24  
25 <sup>1</sup> NAT'L CONSUMER LAW CTR., BROKEN RECORDS: HOW ERRORS BY CRIMINAL BACKGROUND  
 26 CHECKING COMPANIES HARM WORKERS AND BUSINESSES (Apr. 2012), at 3. *See also* SOC'Y FOR  
 27 HUMAN RES. MGMT., BACKGROUND CHECKING: CONDUCTING CRIMINAL BACKGROUND CHECKS,  
 28 slide 3 (Jan. 22, 2010), located at <http://www.slideshare.net/shrm/background-check-criminal>  
 (last visited on May 2, 2012); Ben Geiger, *Comment: The Case for Treating Ex-Offenders as a*  
*Suspect Class*, 94 CAL. L. REV. 1191, 1193 (2006).

<sup>2</sup> *Id.*

5. Both the FCRA and the ICRAA requires a background check company to follow extremely stringent procedures to ensure that whenever criminal history information is reported, it is accurate, complete, and up to date. Under 15 U.S.C. §1681e(b) and Cal. Civ. C. §1786.20(b) a background check company" shall follow reasonable procedures to assure *maximum possible accuracy* of the information concerning the individual about whom the report relates." (Emphasis added)."

6. In addition, when public records information such as criminal history information is reported in the employment context, the background check company is required to "maintain *strict procedures* designed to insure that...[the information reported] is complete and up to date." 15 U.S.C. §

7. Defendant failed to fulfill its statutory duties under the FCRA and the ICRAA, as a result of which a background check report containing inaccurate, incomplete, and out-of-date information concerning Plaintiff was furnished to his prospective employer and Plaintiff was denied employment.

8. Plaintiff seeks actual damages, punitive damages, and equitable relief, including costs and expenses of litigation, including attorney's fees, and appropriate injunctive relief requiring Defendants to comply with its legal obligations, as well as additional and further relief as may be appropriate. Plaintiff reserves the right to amend this Complaint to add additional relief as permitted under applicable law.

#### THE PARTIES

9. Plaintiff ROGER L. CULBERSON II is, and at all times relevant hereto was, an individual over the age of 18 and a resident of Los Angeles County, California.

10. Plaintiff is a consumer as defined by 15 U.S.C. § 1681a(c) of the FCRA, and Cal. Civ. C. §1786.2(b) of the ICRAA because he is a natural individual who has made an application for employment purposes.

1           11. Defendant STERLING INFOSYSTEMS, INC. d.b.a. STERLING TESTING  
2 SYSTEMS is and at all times herein mentioned was, a foreign corporation doing business in the  
3 State of California.

4           12. STERLING is an entity regulated under both the FCRA and the ICRAA.

5           13. For purposes of the FCRA, STERLING is a "consumer reporting agency" as  
6 defined under 15 USC §1681a(f) because they are "person which, for monetary fees,  
7 dues...regularly engages in whole or in part in the practice of assembling or evaluating consumer  
8 credit information or other information on consumers for the purpose of furnishing consumer  
9 reports to third parties, and which uses any means or facility of interstate commerce for the  
10 purpose of preparing or furnishing *consumer reports*." (Emphasis added).

11           14. A "consumer report" is "any written, oral, or other communication of any  
12 information by a consumer reporting agency bearing on a consumer's credit worthiness, credit  
13 standing, credit capacity, *character, general reputation, personal characteristics, or mode of*  
14 *living* which is used or expected to be used or collected in whole or in part for the purpose of  
15 serving as a factor in establishing the consumer's eligibility for....employment." 15 USC  
16 §1681a(d) (emphasis added).

17           15. For purposes of the ICRAA, STERLING is an "investigative consumer reporting  
18 agency" as defined under Cal. Civ. C. §1786.2(d) because they are "person who, for monetary  
19 fees or dues, engages in whole or in part in the practice of collecting, assembling, evaluating,  
20 compiling, reporting, transmitting, transferring, or communicating information concerning  
21 consumers for the purposes of furnishing *investigative consumer reports* to third parties..."  
22 (Emphasis added).

23           16. An investigative consumer report is "a consumer report in which information on a  
24 consumer's character, general reputation, personal characteristics, or mode of living is obtained  
25 through any means..." Cal. Civ. C. §1786.2(c).

26           17. STERLING' reports, including the background check report at issue in the present  
27 case, contain background information on consumer regarding their general reputation, character,  
28

1 mode of living or other personal characteristics. Among other things, STERLING's reports  
2 typically include information regarding criminal histories.

3 18. Defendants sell background check reports to, among others, prospective  
4 employers. Plaintiff is ignorant of the Defendants sued herein as DOES 1-10, inclusive, and  
5 therefore sues those Defendants by such capacities when such information is ascertained.

6 19. Plaintiff is informed and believes and thereon alleges that each of the Doe  
7 Defendants is responsible in some manner for the occurrences herein alleged and that Plaintiff's  
8 damages as herein alleged were proximately caused by such occurrences.

9 20. Plaintiff is informed and believes and thereon alleges that, at all times herein  
10 mentioned, Defendants DOES 1-10, were agents of each other and of the named Defendant and in  
11 doing the things alleged in this complaint, were acting in the scope of such agency and with the  
12 permission and consent of Defendants.

### 13 14 FACTUAL ALLEGATIONS

15 21. On or about June 23, 1998, Plaintiff was convicted of Penal Code §415. This  
16 conviction was dismissed pursuant to Penal Code §1203.4 (colloquially known as expungement)  
17 on or about February 8, 2010.

18 22. Plaintiff was 19 years old at the time of the conviction. 13 years later, he was  
19 denied a seasonal job by The Walt Disney Company ("DISNEY") due to the erroneous criminal  
20 history information disclosed on a STERLING background check report.

21 23. Plaintiff applied to DISNEY on or about October 18, 2011.

22 24. Plaintiff was hired on or about November 3, 2011 and was scheduled to attend one  
23 of several orientations and training sessions offered weekly between November 22, 2011 to  
24 December 18th, 2011. New employees were required to attend one of these several orientations  
25 and training sessions as a condition precedent to serving DISNEY customers.

26 25. On or about November 22, 2011, Plaintiff received a call from DISNEY personnel  
27 informing him that he cannot attend the orientation that was scheduled for the upcoming weekend  
28



1 because the background check "was not going to be back in time." He was informed that he could  
2 attend orientation only after a clean background check report had come back.

3 26. Plaintiff then contacted DISNEY every week immediately prior to the scheduled  
4 start of a new session of orientation to inquire about the status of his background check so that he  
5 could attend the upcoming orientation. However, he was repeatedly informed that no background  
6 check had come back yet.

7 27. On or about December 7, 2011, Plaintiff called DISNEY where DISNEY finally  
8 informed Plaintiff over the phone that he could not be hired by DISNEY because of the  
9 background check report.

10 28. DISNEY did not issue a notice to Plaintiff either prior to or following the adverse  
11 action as required under 15 U.S.C. §1681b(b)(3).

12 29. Plaintiff never received a pre-adverse action or adverse action notice from any  
13 party contracted by DISNEY to provide such notice.

14 30. Plaintiff was aware that he had a 1998 conviction for violation of Penal Code §417  
15 (disturbing the peace) on his record that had been expunged but because he was never provided  
16 with a copy of the report he could not know for sure whether that was the cause of his  
17 termination.

18 31. On or about December 7, 2011, the same day when DISNEY informed Plaintiff  
19 that he could not be hired because of his background, Plaintiff contacted STERLING to obtain a  
20 copy of his background check report. Plaintiff received his consumer report several days later and  
21 determined that STERLING had misreported Plaintiff's 1998 criminal conviction.

22 32. STERLING reported a guilty conviction for a charged labeled as "PERSON WHO  
23 UNLAWFULLY FIGHTS IN A PUBLIC PLACE OR CHALLENGES ANOTHER PERSON IN  
24 A PUBLIC PLACE TO FIGHT." In fact, this charged was dismissed pursuant to Cal. Pen. C.  
25 §1203.4 (colloquially known as "expungement") on February 8, 2010.

26 33. In clear error, Defendant reported the "Disposition" of this charge as  
27 "Guilty/Convicted" with a "Disposition Date" of "2010-02-08." These two entries mislead the  
28

1 reader that Plaintiff was convicted of the crime on February 8, 2010 as opposed to successfully  
2 obtaining expungement on February 8, 2010 for a conviction that took place in 1998.

3 34. On or about December 14, 2011, and following receipt of a copy of his  
4 background check report, Plaintiff disputed the information with STERLING. On or about  
5 December 15, 2011, STERLING issued a new report indicating that Plaintiff has a "clear"  
6 background. Despite the issuance of this new report, Plaintiff was never hired.

7 35. On or about February 2012, Plaintiff contacted DISNEY again regarding  
8 employment opportunities, DISNEY informed Plaintiff that all available positions have been  
9 filled.

10 36. STERLING is one of the nation's largest background check company and has been  
11 routinely subject to law suits involving its systematic failure in complying with the legal  
12 mandates described immediately above and was well-aware of the requirements to insure that the  
13 reported information is accurate, complete and up to date.

14 37. Here, Plaintiff's criminal history was public record information was readily  
15 available through Los Angeles County Court system, Plaintiff is informed and believes that  
16 STERLING nevertheless failed to visually inspect, copy, or analyze the readily-available  
17 information in reckless disregard of the clear statutory mandate to use "reasonable," and "strict  
18 procedure" in providing background check reports that will have a detrimental impact on a  
19 consumer's ability to obtain employment.

20 38. Under Cal. Civ. C. §1786.29(a), an investigative consumer reporting agency is  
21 required to provide, in at least 12-point boldface type setting forth that "...[the reported  
22 information] is accurately copied from public records..." (Emphasis added).

23 39. Indeed, on the first page of the SUBJECT REPORT, Defendants certified that the  
24 information is "...accurately copied from public records...." (Emphasis added). Nevertheless,  
25 STERLING intentionally, gross negligently, and/or recklessly failed to obtain and copy readily  
26 available public record information from Los Angeles County Superior Court when reporting  
27 Plaintiff's criminal history information.  
28

40. In Los Angeles County, the cost per page for obtaining copies of court documents is \$.50 per page. The Clerk's Documents and Minutes on Plaintiff which would have provided accurate complete and up to date information on Plaintiff's criminal history consists of only several pages at a cost of less than \$5.

41. Plaintiff is informed and believes and thereon alleges that STERLING never obtained the Clerk's Documents and Minutes and any similar documents which would have revealed, complete, accurate, and up to date information on Plaintiff's criminal history.

42. On its website, STERLING touts itself as one of the fastest growing companies in the country. In a June 2013 press release entitled "Background-check industry under scrutiny as profits soar"<sup>3</sup> wherein it stated that its revenue has rocketed to nearly \$250 million from just \$7.5 million in 2001.

43. STERLING's profits are founded on its emphasis on efficiency in generating as many criminal background checks as possible and a dearth of litigation on inaccurate background check reports. According to its website its "litigation-incidence rate is 0.00005% - which amounts to half a dozen suits a year."<sup>4</sup>

44. Accordingly, the lack of litigation as well as its profit maximizing model routinely and systematically results in inaccurate background check reports such as those issued in connection with Plaintiff's employment application.

45. As a direct and foreseeable result of Defendant's wrongful conduct, Plaintiff lost a valuable employment opportunity, suffered significant economic, emotional, and mental distress.

## FIRST CAUSE OF ACTION

(Violation of 15 United States Code §1681e(b))

<sup>3</sup> See [www.sterlinginfosystems.com/background-check-industry-under-scrutiny-as-profits-soar.htm](http://www.sterlinginfosystems.com/background-check-industry-under-scrutiny-as-profits-soar.htm), last viewed 10/24/2013.

<sup>4</sup> *Id.*

1           46. Plaintiff hereby incorporates by reference the allegations of paragraphs 1-48,  
2 inclusive.

3           47. Upon information and belief, Defendants have not, and currently do not, follow  
4 reasonable procedures to assure maximum possible accuracy of the information concerning the  
5 individual about whom the report relates.

6           48. Specifically, Defendants failed to visually inspect, copy, or analyze the readily-  
7 available public records information concerning Plaintiff, which failure led to the inaccuracies in  
8 the subject report.

9           49. Defendant's violations were willful or reckless because Defendants were aware of  
10 their obligations under the FCRA but nonetheless consciously elected to disregard their  
11 obligations.

12           50. Defendants' violations entitle Plaintiff to damages pursuant to 15 USC §§ 1681n  
13 and 1681o, including but not limited to the actual harms suffered by Plaintiff as a direct legal,  
14 proximate, and foreseeable result of Defendant's violations as well as punitive damages.

15  
16                                   **SECOND CAUSE OF ACTION**  
17                                   **(Violation of 15 United States Code §1681k(b))**  
18

19           51. Plaintiff hereby incorporates by reference the allegations of paragraphs 1-48,  
20 inclusive.

21           52. Upon information and belief, Defendants failed to provide Plaintiff  
22 contemporaneous notice of the fact that public record information is being reported pursuant to 15  
23 USC §1681k(a)(1) and have not and currently do not maintain strict procedures designed to insure  
24 that whenever public record information which is likely to have an adverse effect on a consumer's  
25 ability to obtain employment is reported it is complete and up to date.

26           53. Specifically, Defendants failed to visually inspect, copy, or analyze the readily-  
27 available public records information concerning Plaintiff resulting in a report containing  
28 information that is not complete and up to date.



61. By failing to maintain procedures to accurately check the final and up-to-date disposition of Plaintiff's case, Defendants failed to maintain reasonable procedures designed to avoid reporting information that antedate the investigative consumer report by more than seven years and to avoid reporting information about criminal records where a conviction did not result.

62. Defendant's violations were willful or grossly negligent because Defendants were aware of their obligations under the ICRAA but nonetheless consciously elected to disregard their obligations.

63. Defendants' violations entitle Plaintiff to damages Pursuant to Civ. Code 1786.50(a) and (b), including, but not limited to, the actual harms suffered by Plaintiff as a direct legal, proximate, and foreseeable result of Defendants' violations as well as punitive damages.

#### FOURTH CAUSE OF ACTION

##### (Violation of California Civil Code §1786.20(b))

64. Plaintiff hereby incorporates by reference the allegations of paragraphs 1-48, inclusive.

65. Upon information and belief, Defendants also have not, and currently do not follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates.

66. Specifically, Defendants failed to visually inspect, copy, or analyze the readily-available public records information concerning Plaintiff resulting in inaccuracies in the SUBJECT REPORT.

67. Defendants' violations were willful or grossly negligent because Defendants were aware of their obligations under the ICRAA but nonetheless consciously elected to disregard its obligations.

68. Defendants' violations entitle Plaintiff to damages Pursuant to Civ. Code 1786.50(a) and (b), including, but not limited to, the actual harms suffered by Plaintiff as a direct legal, proximate, and foreseeable result of Defendants' violations as well as punitive damages.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**FIFTH CAUSE OF ACTION**  
**(Violation of California Civil Code §1786.28(b))**

69. Plaintiff hereby incorporates by reference the allegations of paragraphs 1-48, inclusive.

70. Upon information and belief, Defendants have not and currently do not maintain strict procedures designed to insure that whenever public record information which is likely to have an adverse effect on a consumer's ability to obtain employment is reported it is complete and up to date.

71. Specifically, Defendants failed to visually inspect, copy, or analyze the readily-available public records information on Plaintiff resulting in a report containing information that is not complete and up to date.

72. Defendants' violations were willful or grossly negligent because Defendants were aware of their obligations under the ICRAA but nonetheless consciously elected to disregard their obligations.

73. Defendants' violations entitle Plaintiff to damages Pursuant to Civ. Code 1786.50(a) and (b), including, but not limited to, the actual harms suffered by Plaintiff as a direct legal, proximate, and foreseeable result of Defendants' violations as well as punitive damages.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff seeks judgment in favor of himself and the proposed Classes:

1. That an order be entered certifying the proposed Class under Rule 23 of the Federal Rules of Civil Procedure and appointing Plaintiff and his counsel to represent the Class;
2. That judgment be entered against DISNEY and in favor of Plaintiff and Class members for statutory damages in the amount of not less than \$100 and not more than \$1,000 per violation per Class member, pursuant to 15 U.S.C. § 1681n(a);




1           3.     That judgment be entered against DISNEY for punitive damages pursuant to 15  
2 U.S.C. § 1681n(a)(2);

3           4.     That the Court award costs and reasonable attorney's fees pursuant to 15 U.S.C. §  
4 1681n and § 1681o; and

5           5.     That the Court grant such other and further relief as may be just and proper.

6  
7 DATED: 11/1/2013

8  
9 By:   
10 THE LAW OFFICES OF DEVIN H. FOK  
11 Devin H. Fok (SBN #256599)  
12 P.O. Box 7165  
13 Alhambra, CA 91802-7165  
14 Phone: (310) 430-9933  
15 Fax: (323) 563-3445  
16 [devin@devinfoklaw.com](mailto:devin@devinfoklaw.com)

17  
18 A NEW WAY OF LIFE REENTRY PROJECT  
19 Joshua E. Kim (SBN #257260)  
20 958 E. 108th St.  
21 Los Angeles, CA 90059  
22 Phone: (323) 563-3575  
23 Fax: (323) 563-3445  
24 [joshua@anewwayoflife.org](mailto:joshua@anewwayoflife.org)

25  
26  
27  
28  
**DEMAND FOR JURY TRIAL**

Plaintiff hereby requests and demands a jury trial on all issues triable by jury.

23 DATED: ~~August~~ <sup>11</sup> 7, 2013

THE LAW OFFICES OF DEVIN H. FOK

25 By:   
26 Devin H. Fok



CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Devin H. Fok (SBN#256599) Law Offices of Devin H. Fok P.O. Box 7165 Alhambra, CA 91802-7165 TELEPHONE NO.: 310-430-9933 FAX NO.: 323-563-3445 ATTORNEY FOR (Name): Andrea L. Ruffing et al.		FOR COURT USE ONLY <b>FILED</b> Los Angeles Superior Court  NOV 01 2013  John A. Clarke, Executive Officer/Clerk By <u>SHAUNYA WESLEY</u> , Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk		CASE NUMBER: <b>BC 526553</b>  JUDGE:  DEPT:	
CASE NAME: <b>Culberson v. Sterling</b>			
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$25,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> <b>Counter</b> <input type="checkbox"/> <b>Joinder</b> Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input checked="" type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |                                                                                                                                |                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties                                                     | d. <input type="checkbox"/> Large number of witnesses                                                                                                      |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence                                                         | f. <input type="checkbox"/> Substantial postjudgment judicial supervision                                                                                  |
3. Remedies sought (check all that apply): a. ☒ monetary    b. ☒ nonmonetary; declaratory or injunctive relief    c. ☒ punitive
4. Number of causes of action (specify): for violations of the FCRA and the ICRAA
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 11/1/2013

Devin H. Fok

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CM-010

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

## Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

## Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice—Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

## Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

## Employment

Wrongful Termination (36)  
Other Employment (15)

## Contract

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach—Seller  
Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

## Real Property

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

## Unlawful Detainer

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

## Judicial Review

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor  
Commissioner Appeals

## Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

## Enforcement of Judgment

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

## Miscellaneous Civil Complaint

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

## Miscellaneous Civil Petition

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition

SHORT TITLE: Culberson v. Sterling	CASE NUMBER
---------------------------------------	-------------

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☒ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 5 ☐ HOURS/ ☐ DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |                                                                                  |                                                            |
|----------------------------------------------------------------------------------|------------------------------------------------------------|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.                                         | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: <b>Culberson v. Sterling</b>	CASE NUMBER
-------------------------------------------	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
<b>Non-Personal Injury/Property Damage/Wrongful Death Tort</b>	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
<b>Employment</b>	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input checked="" type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
<b>Contract</b>	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
<b>Real Property</b>	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
<b>Unlawful Detainer</b>	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: <b>Culberson v. Sterling</b>	CASE NUMBER
----------------------------------------------	-------------

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus	2., 8.
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2.
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2.
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
	<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment
<input type="checkbox"/> A6160 Abstract of Judgment			2., 6.
<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)			2., 9.
<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)			2., 8.
<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax			2., 8.
<input type="checkbox"/> A6112 Other Enforcement of Judgment Case			2., 8., 9.
RICO (27)			<input type="checkbox"/> A6033 Racketeering (RICO) Case
<b>Miscellaneous Civil Complaints</b>	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
		<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.
Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.	
<b>Miscellaneous Civil Petitions</b>	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
		<input type="checkbox"/> A6123 Workplace Harassment	2., 3., 9.
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2., 3., 9.
		<input type="checkbox"/> A6190 Election Contest	2.
		<input type="checkbox"/> A6110 Petition for Change of Name	2., 7.
		<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law	2., 3., 4., 8.
		<input type="checkbox"/> A6100 Other Civil Petition	2., 9.



SHORT TITLE: Culberson v. Sterling	CASE NUMBER
---------------------------------------	-------------

**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.  <input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		<b>ADDRESS:</b> 500 S. Buena Vista St., Burbank, CA 91521
<b>CITY:</b> Burbank	<b>STATE:</b> CA	<b>ZIP CODE:</b> 91521

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 11/1/2013

(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

# **EXHIBIT B**

SUM-100

# SUMMONS (CITACION JUDICIAL)

## NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

Sterling Infosystems, Inc., a foreign corporation doing business in California, and Does 1-10, inclusive

## YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

Roger L. Culberson II, individually, and on behalf of the putative class

FOR COURT USE ONLY  
**FILED**  
 Los Angeles Superior Court

NOV 01 2013

John A. Clarke, Executive Officer/Clerk  
 By SHAUNNA WESLEY, Deputy

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

Los Angeles Superior Court  
 111 North Hill Street, Los Angeles, CA 90012

CASE NUMBER:  
(Número del Caso):

BC526553

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
 Law Offices of Devin H. Fok, P.O. Box 7165, Alhambra, CA 91802; 310-430-9933

DATE:  
(Fecha)

NOV 01 2013

Clerk, by  
(Secretario)

Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)



## NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

☒ on behalf of (specify):

- |                                                                     |                                                         |
|---------------------------------------------------------------------|---------------------------------------------------------|
| under: <input checked="" type="checkbox"/> CCP 416.10 (corporation) | <input type="checkbox"/> CCP 416.60 (minor)             |
| <input type="checkbox"/> CCP 416.20 (defunct corporation)           | <input type="checkbox"/> CCP 416.70 (conservatee)       |
| <input type="checkbox"/> CCP 416.40 (association or partnership)    | <input type="checkbox"/> CCP 416.90 (authorized person) |
| <input type="checkbox"/> other (specify):                           |                                                         |

- ☐ by personal delivery on (date):



Los Angeles Superior Court  
Case No. 13-11111

FILED TO VOA

John A. Clarke, Esq.  
Attorney at Law  
21000  
21000

12/13/13

12/13/13



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Dolly M. Gee and the assigned Magistrate Judge is Patrick J. Walsh.

The case number on all documents filed with the Court should read as follows:

2:13-CV-9186-DMG (PJWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

December 13, 2013

Date

By MDAVIS

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

I. (a) PLAINTIFFS ( Check box if you are representing yourself ☐ )

ROGER L. CULBERSON II

DEFENDANTS ( Check box if you are representing yourself ☐ )

STERLING INFOSYSTEMS, INC.

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Devin H. Fok, Esq. (SBN: 256599)

P.O. Box 7165

Alhambra, CA 91802-7165

Tel.: (310) 430-9933 / Fax: (323) 563-3445

Email: devin@devinfoklaw.com

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Gary P. Simonian (SBN: 177747)

LeClairRyan, LLP

725 S. Figueroa St., Ste. 350, Los Angeles, CA 90017

Tel.: (213) 488-0503 / Fax: (213) 624-3755

Email: Gary.Simonian@leclairryan.com

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1. U.S. Government Plaintiff☒ 3. Federal Question (U.S. Government Not a Party)☐ 2. U.S. Government Defendant☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State

PTF

DEF

☐ 1☐ 1

Citizen of Another State

☐ 2☐ 2

Citizen or Subject of a Foreign Country

☐ 3☐ 3

Incorporated or Principal Place of Business in this State

PTF

DEF

☐ 4☐ 4

Incorporated and Principal Place of Business in Another State

☐ 5☐ 5

Foreign Nation

☐ 6☐ 6

IV. ORIGIN (Place an X in one box only.)

☐ 1. Original Proceeding☒ 2. Removed from State Court☐ 3. Remanded from Appellate Court☐ 4. Reinstated or Reopened☐ 5. Transferred from Another District (Specify)☐ 6. Multi-District LitigationV. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No☐ MONEY DEMANDED IN COMPLAINT: \$VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
Removal of action arising under 15 U.S.C. Sections 1681, et seq.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>TORTS</b>	<b>TORTS</b>	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<b>PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<b>Other:</b>	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 155 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<b>FORFEITURE/PENALTY</b>	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act		<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<b>LABOR</b>	
<input type="checkbox"/> 896 Arbitration		<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<b>REAL PROPERTY</b>	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act	
	<input type="checkbox"/> 230 Rent Lease & Ejectment		<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV-71 (11/13)

CIVIL COVER SHEET

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input checked="" type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C.1. Is either of the following true? If so, check the one that applies:**

- ☐ 2 or more answers in Column C  
☐ only 1 answer in Column C and no answers in Column D

Your case will initially be assigned to the  
SOUTHERN DIVISION.  
Enter "Southern" in response to Question D, below.

If none applies, answer question C2 to the right. →

**C.2. Is either of the following true? If so, check the one that applies:**

- ☐ 2 or more answers in Column D  
☐ only 1 answer in Column D and no answers in Column C

Your case will initially be assigned to the  
EASTERN DIVISION.  
Enter "Eastern" in response to Question D, below.

If none applies, go to the box below. ↓

Your case will initially be assigned to the  
WESTERN DIVISION.  
Enter "Western" in response to Question D below.

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	WESTERN



## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

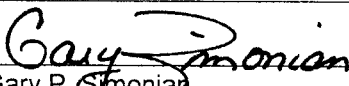
If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

## X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT):

  
 Gary P. Simonian

DATE: 12/13/2013

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

